

## SENATE BILL No. 636

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8-16.

**Synopsis:** 911 telephone system funding formula. Applies to a county that: (1) imposes a monthly enhanced emergency telephone system fee; and (2) contains at least one public safety answering point (PSAP) operated by a unit other than the county. Requires PSAPs operating in the county to provide quarterly reports to the county treasurer and the unit's fiscal officer indicating the: (1) total number of incoming 911 calls received by the PSAP; and (2) number of calls for which public safety personnel were dispatched. Requires the county treasurer to distribute to PSAPs in the county 75% of the enhanced emergency telephone system fees collected each quarter by the county. Provides that the part of those fees distributed to a particular PSAP must bear the same proportion to the total fees distributed to all PSAPS that the share of calls resulting in a dispatch by the particular PSAP bears to the total share of calls in the county resulting in a dispatch by any PSAP in the county.

**Effective:** Upon passage; July 1, 2005.

**Broden**

\_\_\_\_\_, read first time and referred to Committee on

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## SENATE BILL No. 636

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 36-8-16-3.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2005]: **Sec. 3.5. As used in this chapter, "PSAP" means a public**  
4 **safety answering point that:**

5 (1) **is a public safety agency operated by a unit (as defined in**  
6 **IC 36-1-2-23); and**

7 (2) **receives incoming 911 calls and dispatches appropriate**  
8 **public safety personnel to respond to the calls.**

9 SECTION 2. IC 36-8-16-12.5 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2005]: **Sec. 12.5. (a) This section applies to a**  
12 **county that:**

13 (1) **collects a countywide fee under section 5(a) of this chapter;**  
14 **and**

15 (2) **contains at least one (1) PSAP not operated by the county.**

16 (b) **Each PSAP in the county shall do the following not later**  
17 **than ten (10) days after the last day of a calendar quarter:**

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**(1) Prepare a report indicating:**

**(A) the total number of incoming 911 calls received by the PSAP; and**

**(B) the number of calls identified under clause (A) in response to which the PSAP dispatched public safety personnel;**

**during the most recent calendar quarter.**

**(2) Deliver the report described in subdivision (1) to the:**

**(A) treasurer of the county; and**

**(B) fiscal officer of the unit operating the PSAP.**

**(c) Not later than thirty (30) days after the last day of a calendar quarter, the county treasurer shall remit to the fiscal officer of each unit operating a PSAP in the county the amount determined under STEP FOUR of the following formula:**

**STEP ONE: Calculate the sum of the following for the county during the most recent calendar quarter:**

**(A) the total number of incoming 911 calls received by all PSAPs in the county, as reported by all PSAPs in the county under subsection (b)(1)(A); plus**

**(B) the product of:**

**(i) the total number of incoming 911 calls for which public safety personnel were dispatched, as reported by all PSAPs in the county under subsection (b)(1)(B); multiplied by**

**(ii) one hundred seventy-five percent (175%).**

**STEP TWO: For each PSAP in the county, calculate the sum of the following for the most recent calendar quarter:**

**(A) the total number of incoming 911 calls received by the PSAP, as reported by the PSAP under subsection (b)(1)(A); plus**

**(B) the product of:**

**(i) the total number of incoming 911 calls for which the PSAP dispatched public safety personnel, as reported by the PSAP under subsection (b)(1)(B); multiplied by**

**(ii) one hundred seventy-five percent (175%).**

**STEP THREE: Calculate the product of:**

**(A) the total enhanced emergency telephone system fees received by the county treasurer under section 12 of this chapter for the most recent calendar quarter; multiplied by**

**(B) seventy-five percent (75%).**

**STEP FOUR: Determine the product of:**

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1 (A) the STEP THREE result; multiplied by  
 2 (B) a ratio, the numerator of which is the sum determined  
 3 for the PSAP under STEP TWO and the denominator of  
 4 which is the sum determined for the county under STEP  
 5 ONE.

6 SECTION 3. IC 36-8-16-13 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. (a) A county  
 8 treasurer or municipal fiscal officer to whom enhanced emergency  
 9 telephone system fees are remitted under section 12 of this chapter  
 10 shall, **after making any required distributions under section 12.5(c)**  
 11 **of this chapter in the case of a county treasurer**, deposit the fees in  
 12 a separate fund. The fund shall be known as the \_\_\_\_\_ (insert  
 13 name of county or municipality) emergency telephone system fund.  
 14 The county treasurer or municipal fiscal officer may invest money in  
 15 the fund in the same manner that other money of the county or  
 16 municipality may be invested. The county treasurer or municipal fiscal  
 17 officer shall deposit any income earned from such an investment in the  
 18 fund.

19 (b) Except as provided in subsection (c), the fiscal officer of a  
 20 unit that receives a distribution under section 12.5(c) of this  
 21 chapter shall deposit the fees received in a separate fund. The fund  
 22 shall be known as the January 24 \_\_\_\_\_ (insert  
 23 Appropriations. name of the PSAP) emergency telephone system  
 24 fund. The fiscal officer may invest money in the fund in the same  
 25 manner that other money of the unit may be invested. The fiscal  
 26 officer shall deposit in the fund any income earned from an  
 27 investment of money in the fund.

28 (c) If a county receives fees under:

29 (1) section 12 of this chapter; and

30 (2) section 12.5 of this chapter for a PSAP operated by the  
 31 county;

32 the county is not required to establish separate funds under  
 33 subsections (a) and (b). The county's distribution under section  
 34 12.5 of this chapter may be deposited in the fund established by the  
 35 county under subsection (a), along with any fees remaining after  
 36 the county makes the required distributions under section 12.5(c)  
 37 of this chapter to other PSAPs operating in the county. The county  
 38 may use any money deposited in the fund for any of the expenses  
 39 described in section 14 of this chapter, including expenses incurred  
 40 by the county's PSAP.

41 SECTION 4. IC 36-8-16-14 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 14. (a) The emergency

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telephone system fees shall be used only to pay for:

- (1) the lease, purchase, or maintenance of enhanced emergency telephone equipment, including necessary computer hardware, software, and data base provisioning;
- (2) the rates associated with the service suppliers' enhanced emergency telephone system network services;
- (3) the personnel expenses of the emergency telephone system; and
- (4) the lease, purchase, construction, or maintenance of voice and data communications equipment, communications infrastructure, or other information technology necessary to provide emergency response services under authority of the unit:

(A) imposing the fee **under section 5 of this chapter; or**

(B) **receiving a distribution under section 12.5(c) of this chapter.**

The legislative body of the unit may appropriate money in the fund only for such an expenditure.

(b) This subsection applies to a county ~~that: (1) imposes a fee under section 5 of this chapter; and (2) contains a municipality that operates a PSAP (as defined in IC 36-8-16.5-13): described in section 12.5(a) of this chapter.~~ Not later than January 31 of each year, the county fiscal body shall submit to each ~~municipality described in subdivision (2)~~ **unit operating a PSAP in the county** a report of all expenditures described in subsection (a) paid **by the county** during the immediately preceding calendar year.

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "PSAP" has the meaning set forth in IC 36-8-16-3.5, as added by this act.**

(b) **A unit that operates a PSAP in a county described in IC 36-8-16-12.5(a), as added by this act, shall implement procedures that are necessary to comply with IC 36-8-16-12.5(b), as added by this act, not later than June 30, 2005.**

(c) **The county treasurer of a county described in IC 36-8-16-12.5(a), as added by this act, shall implement procedures that are necessary to comply with IC 36-8-16-12.5(c), as added by this act, not later than June 30, 2005.**

(d) **This SECTION expires January 1, 2006.**

SECTION 6. **An emergency is declared for this act.**

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